

FOIAonline is full speed ahead

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The Department of the Navy (DON) is gearing up to be a leading participant in a new web-based system intended to make public access to government documents simpler for users and less expensive to taxpayers.

FOIAonline is a website designed to implement the Freedom of Information Act (FOIA), a 1966 Federal law which states that the public shall have right to Federal records, with some exceptions, generally for information that is classified, private, proprietary, or privileged. . Unlike most FOIA websites, which pertain to individual agencies, FOIAonline serves as a sort of one-stop shop for public access to records held by multiple Federal agencies.

New features approved by the Navy are currently under development. They are intended to improve service to the users of FOIAonline, increase efficiency, and provide a “more granular reporting capability” adapted to the special annual reporting needs of the Navy, said Tim Crawford, FOIAonline’s project manager.

Receiving as many as 17,000 FOIA requests a year, the Navy is the second busiest “partner” within FOIAonline. It is one of nine such federal agencies presently, with growth forecast to be possibly dramatic in coming months. “We are in the early stages of development,” Crawford said. “As agencies look to reduce their costs and leverage shared services, we would anticipate continued growth.”

Growth is expected to improve FOIAonline’s efficiency and usability by increasing possibilities for the handling of requests spanning multiple agencies. In addition, enhancements sought by individual agencies like the Navy and Marine Corps may be shared by the other participants, such as form letters and templates, Crawford said. The concept is called “shared services.”

FOIAonline began on October 1, 2012, then as the collaboration of five agencies, headed by the Environmental Protection Agency (EPA). It is largely an outgrowth of an existing federal effort to leverage the Internet in its efforts to improve efficiency. The EPA was able to build on existing software and hardware associated with e-Rulemaking. Part of an international initiative called E-government (or E-gov), e-Rulemaking is an American project (available on the Internet at www.regulations.gov) with capacity to serve 186 federal agencies in facilitating rulemaking. As with meeting the requirements of FOIA, federal rulemaking typically requires the handling of public input in connection with vast repositories of information.

The EPA's success in shepherding e-Rulemaking is one reason why the ~~Office of Management and Budget (OMB), the White House executive coordination arm, designated~~ EPA decided to launch FOIAonline, ~~Crawford said~~. In addition to the EPA, FOIAonline's charter members include four other agencies: the Department of Commerce, the Merit Systems Protection Board (MSPB), the Federal Labor Relations Authority (FLRA) and the Office of Government Information Services (OGIS), an agency within National Archives and Records Administration (NARA) created by Congress to promote collaboration among federal agencies in the handling of FOIA requests. On October 1, 2013, the Pension Benefit Guaranty Corporation (PBGC) and U.S. Customs and Border Protection (CBP) joined that list. The CBP, the largest federal law enforcement agency, receives the most requests within FOIAonline, some 40,000 annually.

The DON joined the partnership on February 1 2014. Other agencies may follow shortly since the present time of year is a convenient time to join. October 1 marks the beginning of the fiscal year, which coincides with annual FOIA reporting requirements applicable to all federal agencies. Indeed, the General Services Administration (GSA) is expected to come onboard on August 1 of this year.

Nevertheless, membership forecasting remains a matter of guesswork because participation is voluntary. Many agencies are still engaged by contract with other FOIA processing providers or contractors. In addition, they are often hesitant to submit to FOIAonline's standardization out of fear that this may require giving up traditional ways of doing business.

In fact, the new enhancements sought by the DON are intended in large part to address this very concern, Crawford said. They shall customize FOIAonline so the DON can preserve unique internal reporting practices. The enhancements, he said, will demonstrate that FOIAonline can provide not only standardization but also flexibility sufficient to accommodate the DON's customary practices.

In addition, many of these features can be shared, particularly as FOIAonline continues to grow. Ultimately, such growing collaboration may enable government agencies not only to cut costs, but also to increase its speed in responding to FOIA requests, Crawford said, by reducing the time needed for consultations and referrals among agencies.

The room for growth is great. Presently, some 100 federal agencies have been delegated with authority to respond to FOIA requests which each year reaches a total of 600,000. FOIAonline presently accounts for about 13 percent of that workload. Brazil and Canada are among countries which appear interested in following the example of FOIAonline, Crawford said.

FOIAonline is available to anyone with access to the Internet (at <https://foiaonline.regulations.gov> or simply by entering the term "FOIAonline" into a search engine). Without the enhancements, users already have the capability to submit and track FOIA requests, look for others' requests, view documents released to others' requests, and to view agencies' annual reports.